

LAW ON FREE ACCESS TO PUBLIC INFORMATION

CONSOLIDATED TEXT ¹

Law on Free Access to Public Information ("Official Gazette of the Republic of Macedonia" no.13/2006; 86/2008 and 6/2010).

I. GENERAL PROVISIONS

1. Subject of the Law

Article 1

(1) This Law shall regulate the requirements, the manner and the procedure for exercising the right to free access to public information that the bodies of the state administration and other bodies and organizations determined by law, the bodies of the municipalities, the City of Skopje and the municipalities in the city of Skopje, the institutions and the public services, public enterprises, legal entities and natural persons performing public authorizations, determined by law (hereinafter: holders of information) have at their disposal.

(2) The right to free access to public information shall be exercised in accordance with this and other law.

(3) The Commission for Protection of the Right to Free Access to Public Information shall adopt an Instruction regarding the manner and procedure for implementation of this Law.

2. Aim of the Law

Article 2

(1) This Law shall ensure transparency and openness of the operation of the holders of information, and shall enable the natural persons and legal entities to exercise their right to free access to public information.

(2) The holders of information shall be obliged to inform the public regarding their work.

Article 3

The terms used in this Law shall have the following meaning:

- "holders of information" are the bodies of the state administration and other bodies and organizations determined by law, the bodies of the municipalities, the City of Skopje and the municipalities in the city of Skopje, the institutions and public services, public enterprises, legal entities and natural persons performing public authorizations, determined by law,

- "public information" is information in any form, created or at disposal of the holder of the information in accordance with its competences (hereinafter: information);

- "information applicant" is any legal entity or natural person, without discrimination on any ground, in a manner and under conditions determined by this and other law (hereinafter: applicant), and
- "document" is any record of information, regardless of its physical form or characteristics, written or printed text, maps, schemes, photographs, pictures, sketches, working materials, as well as audio, vocal, magnetic or electronic, optical or video recordings in any form, as well as portable equipment for automatic data processing with built-in or portable memories for storing data in digital form.
- "official person" is a person employed within the holder of information appointed by an act of the responsible person, who operates with the public information created or at disposal of the holder of information in accordance with its competences, and
- "injury test" is a mandatory procedure conducted by the holder of information before it refuses the access in accordance with Article 6 of this Law, used as a mean of checking the consequences over the interest protected thereon, that is the public interest achieved by publication of the information,.

3. Free access to information

Article 4

- (1) All legal entities and natural persons shall have free access to information.
- (2) Foreign legal entities and natural persons shall have free access to information in accordance with this Law and other law.

4. Publishing a list

Article 5

The Commission for Protection of the Right to Free Access to Public Information shall, once a year (in the public media, newsletters, internet site), publish a list of holders of public information and the official person at the holder of information.

5. Exception to free access to public information

Article 6

- (1) The holders of information can reject a request for access to information in accordance with law, if the information refers to:
 - 1) information that, in accordance with law, constitutes a classified information with a certain degree of secrecy;
 - 2) personal data whose revealing would mean violation of the protection of personal data;
 - 3) information on the archival work determined as confidential;
 - 4) information whose release would mean violation of the confidentiality of a tax procedure;
 - 5) information obtained or composed for the purpose of an investigation, criminal or misdemeanor procedure, implementation of an administrative or civil procedure, whose release can have harmful consequences to the procedure itself;
 - 6) information concerning commercial and other economic interests, including the interests of the monetary and fiscal policy whose release can have harmful consequences for the exercise of the term of office;
 - 7) information from a document in a preparation procedure, still being a subject to harmonization by the holder of information, and whose release could cause misunderstanding of the content, and
 - 8) information endangering the rights arising from industrial or intellectual property (patent, model, sample, trade and service brand, origin marking or the product).

(2) The information determined in paragraph (1) of this Article shall become available when the reasons for the unavailability shall cease to exist.

(3) As an exception to paragraph (1) of this Article, the holders of information shall approve access to the information, after the mandatorily implemented injury test with which it shall be determined that, by publishing such information, the consequences over the interest being protected are less than the public interest determined by law, that can be gained by publishing the information.

6. Partial access

Article 7

Provided that the document or part of it containing the information referred to in Article 6, paragraph (1) of this Law that can be separated from the document without jeopardizing its safety, the holder of information shall separate those information from the document and inform the applicant about the content of the rest of the document.

II. OFFICIAL PERSON DESIGNATED FOR INFORMATION OPERATION

1. Official person

Article 8

(1) Each holder of information shall determine one or more official persons for the purpose of information operation during the exercise of the right to free access to information.

(2) The holder of information shall be obliged to inform the public about the official person for information operation.

(3) The official person for information operation shall contact and give the necessary information and shall help the applicant wherefore he/she keeps a separate records of the acceptance of the information requests, storage and release of information.

(4) Several holders of information can together appoint one or more official persons for information operation during the exercising the right to free access to information.

III. OBLIGATIONS OF THE HOLDERS OF INFORMATION

1. List of information

Article 9

The holders of information shall be obliged to keep and regularly update the list of information they have at their disposal and to publish them in a manner accessible to the public (internet site, bulletin board and other).

2. Information operation

Article 10

(1) The holder of information shall be obliged to inform the public about:

- the basic contact information of the holder of information, that is: name, address, telephone number, fax number, e-mail address and web page address;
- the manner of submission of a request for access to information;
- the regulations referring to the competence of the holder of information, connected with the register of regulations published in the official gazette;
- the suggestions for programs, programs, strategies, positions, opinions, studies and other similar documents, referring to the acts under the competence of the holder of information;
- all public announcements in the procedure for public procurements and the tender documentation determined by law;
- the data within its competences determined by law;
- the organization and the operational expenses, as well as giving services to the citizens in the administrative procedure and about their activities;
- the issuing of information bulletins and other forms of informing,
- internet site used for publishing decisions, acts and measures affecting the life and work of the citizens, and
- other information arising from the competence and the work of the holder of information.

(2) Every holder of information shall be obliged to enable a cost-free access to the information referred to in paragraph (1) of this Article.

(3) The holders of information, as a way of informing the public about their activity, shall have to

- to publish laws and by-laws at the official internet site of the institution,
- to issue public announcements for the activities undertaken by them in accordance with legal competences,
- to publish statistical data in respect to their activity,
- to publish the reports regarding their activity submitted to the bodies competent for control and inspection, and
- to make all information of public interest available in any other manner anticipated by law.

Article 11

The responsible persons within the holders of information, for the purpose of providing free access to information, shall be obliged to provide to the applicants premises for access into the requested information, and the official information operation persons shall be obliged to help them during the information search in accordance with this or other law.

IV. PROCEDURE FOR EXERCISE OF THE RIGHT TO FREE ACCESS TO INFORMATION

1. Oral or written request

Article 12

(1) The applicant can require access to information orally, in writing or as an electronic entry.

(2) Each applicant, on the basis of a request, shall have the right to access to information at disposal of the holder of information, by means of: insight, transcript, photocopy or electronic entry.

2. Oral request

Article 13

(1) If the applicant asks for access to information by an oral request, the holder of

information shall be obliged to enable access to the information, in a manner that provides the applicant enough time to view its content, for which the holder of information draws up an official note, except for the information referred to Article 6, paragraph (1) of this Law.

(2) If the holder of information positively responds to the request referred to in paragraph (1) of this Article, it shall immediately, and within five days of submission of the request at the latest, enable introduction with the content of the requested information in a manner providing insight or transcript, photocopy or electronic entry from the requested information.

(3) If the holder of information responds negatively to the request, or cannot immediately respond to the request, as well as in the case when the applicant has an oral or written objection regarding the manner of information introduction, the official person responsible for information operation shall be obliged to prepare a conclusion wherein the information for the applicant, the date of acceptance of the request is entered and to notify the applicant regarding the separate request, that is the requested information.

(4) The information applicant shall have the right to lodge an appeal against the decision referred to in paragraph (3) of this Article with the Commission for Protection of the Right to Free Access to Public Information.

(5) In the cases referred to in paragraph (3) of this Article, the further procedure upon an oral request shall continue as a written request in accordance with this Law.

3. Written request

Article 14

(1) The holder of information shall decide upon the written request for access to information in a procedure determined by this Law.

(2) The Law on General Administrative Procedure shall apply to the procedure issues referred to in paragraph (1) of this Article not regulated by this Law.

4. Submission of the request

Article 15

(1) The applicant shall submit the request for access to information to the holder of information.

(2) The provisions of this and other law shall apply to the request submitted in an electronic form referred to in paragraph (1) of this Article.

5. Content of the request

Article 16

(1) The content and the form of the request for access to public information shall be determined by the Commission and the holder of the information shall be obliged to provide it to the applicant thereon.

(2) The request shall be submitted on the form referred to in paragraph (1) of this Article or in other form and in the manner in accordance with Article 12 paragraph (1) of this Law.

(3) The request shall contain the name of the holder of the information, personal name and surname of the information applicant, data for the possible

representative or attorney-in-fact, the company or the legal entity.

(4) In the request, the applicant shall be obliged to state the information that he/she seeks as well as the manner in which he/she wants to receive it (insight, transcript, photocopy, electronic entry).

(5) The applicant shall not be obliged to explain the reason for his/her request, but he/she shall have to state that it is request for access to information.

(6) If according to the subject of the request it is evident that it is a request for access to information in accordance with this Law, the holder of information shall mandatorily review the request in accordance with this Law.

6. Supplementing the request

Article 17

(1) If the request is not complete and therefore the holder of information cannot act upon it, it shall require from the applicant to supplement the request, stating the consequences if he/she fails to do so. The applicant shall be obliged to supplement the request within three days as of the day of the notification regarding the need for supplementing the request, that is within three days as of the day of acceptance of the notification regarding the need for supplementing the request.

(2) The official person appointed for information operation shall be obliged to provide appropriate help to the applicant while supplementing the request.

(3) If the applicant does not act in accordance with paragraphs (1) and (2) of this Article, the holder of information shall, with a conclusion, determine that the request has been withdrawn.

(4) An appeal against the conclusion for termination of the procedure to the Commission for Protection of the Right to Free Access to Public Information shall be allowed.

(5) If the request even after the supplement does not fulfill the requirements referred to in Article 16 of this Law and hence the holder of the information cannot decide on the request, the holder of information shall adopt a decision rejecting the request.

(6) An appeal against the decision rejecting the request can be lodged to the Commission for Protection of the Right to Free Access to Public Information.

7. Forwarding the request

Article 18

(1) If the holder of information receiving the request does not have the requested information it shall immediately, or within a period of three days as of the day of receipt of the request, at the latest, be obliged to forward the request to the holder of information, which in accordance with the content of the request is the holder of information and inform the applicant thereof.

(2) The time period for obtaining the information shall commence as of the day of receipt of the request by the holder of information to which the request referred to in paragraph (1) of this Article has been forwarded.

Article 19

The official person referred to in Article 8 of this Law shall conduct the procedure upon the request for access to public information at the holder of information.

8. Acting upon the request

Article 20

(1) The holder of information shall prepare minutes, provided that it positively responds to the request.

(2) The holder of information shall adopt a decision regarding the partial or full rejection of the request.

(3) In the cases referred to in paragraph (2) of this Article, the decision shall have to contain an explanation regarding the reasons for the rejection of the request.

(4) If the holder of information does not provide access to the information or does not adopt or does not submit the decision referred to in paragraph (2) of this Article to the applicant in the period determined in Article 21 of this Law, it shall be considered that the request has been rejected, upon which an appeal can be submitted.

Article 21

(1) The holder of information shall be obliged to immediately respond to the request of the applicant, or within a time period of 30 days as of the day of acceptance of the request, at the latest.

(2) The holder of information shall provide the information in the requested form, except in cases when the information already exists in a predetermined prescribed form and is already available to the public, and if it is more convenient for the applicant the information to be submitted in a different form than the requested one, wherefore the holder of information shall explain the reason for this manner of submission.

9. Extension of the time period for submission of the requested information

Article 22

(1) If the holder of information needs longer period than the time period determined in Article 21 of this Law for the purpose of enabling partial access to the information, in accordance with Article 7 of this Law or due to the volume of the requested document the time period can be extended, but for no more than 40 days as of the day of acceptance of the request.

(2) The holder of information shall be obliged to inform the applicant in writing about the extension of the time period referred to in paragraph (1) of this Article, as well as the explanation of the extension reasons, within three days at the most before the expiry of the time period referred to in Article 21 of this Law.

(3) If the holder does not act upon in the time period referred to in paragraph (1) of this Article, the applicant can lodge an appeal to the Commission for Protection of the Right to Free Access to Public Information.

10. Answers that are responded

Article 23

The holder of information shall be obliged to inform the applicant in regard to the request for access to information if there is a positive respond to a similar or

same request to the same person, within a time period of 6 months before the day of acceptance of the request.

11. Submission of an answer upon the requested information

Article 24

(1) If the holder of information positively responds to the request, the applicant shall be immediately allowed to be introduced with the content of the requested information in the following manner: by insight, transcript, photocopy or electronic entry.

(2) If the applicant requires an insight into an information, the holder of the information shall be obliged to provide insight in such manner so to enable the applicant to have enough time to be introduced with its content.

(3) If, as a result of the obtained information, there is a request for additional information, related to the documents owned by the holder of information, the applicant shall submit a new request, in accordance with Articles 15 and 16 of this Law, accompanied with the received answer.

(4) If the applicant considers that the information that he/she received is not the one he/she has requested, he/she can require from the holder of information to be introduced with the information he/she stated in the request, within a period of ten days at the most after the acceptance of the repeated request with the holder of the information.

(5) If the holder of information does not respond positively to the repeated request of the applicant, after the expiry of the time period determined in paragraph (4) of this Article, the applicant can lodge an appeal with the Commission for Protection of the Right to Public Information.

12. Language of the submitted request

Article 25

The applicant shall submit the request to the holder of information in Macedonian language and its Cyrillic alphabet, and the applicant who uses official language different than the Macedonian language and alphabet, can submit the request in the official language and alphabet that he/she uses in accordance with law.

13. Rejection and notification upon the request

Article 26

(1) The holder of information can partially or fully reject the request, if it determines that the requested information is information referred to in Article 6 paragraph (1), taking into consideration Article 6 paragraph (3) of this Law.

(2) If the request for information refers to information that the holder does not have at its disposal or if the information is already published in accordance with Articles 18 and 23 of this Law, the holder of information shall, with a conclusion, terminate the procedure.

(3) The applicant can lodge an appeal against the conclusion referred to in paragraph (2) of this Article to the Commission for Protection of the Right to Free access to Public Information.

14. Right to legal protection

Article 27

The applicant who has submitted a written request for access to information in accordance with this Law, shall have the right to legal protection.

15. Appeal procedure

(1) The applicant shall have the right to appeal against the decision of the holder of information rejecting the request with the Commission for Protection of the Right to Free Access to Public Information within a period of 15 days as of the day of acceptance of the request.

(2) The applicant shall have the right to lodge an appeal with the Commission for Protection of the Right to Free Access to Public Information when the holder of information does not act in accordance with Articles 20 paragraph (4), 24 paragraph (4), and 26 paragraph (1) of this Law.

(3) The Commission for Protection of the Right to Free Access to Public Information shall decide upon the applicant's appeal within a period of 15 days as of the day of acceptance of the appeal.

(4) If the Commission for Protection of the Right to Free Access to Public Information does not adopt a decision upon the appeal against the first instance decision within a time period referred to in paragraph (3) of this Article, and does not adopt it within a period of seven days after the repeated request, the applicant can initiate an administrative dispute.

5. COSTS FOR INFORMATION OPERATION

Article 29

(1) The insight into the requested information shall be free of charge.

(2) The applicant shall pay a fee in the amount of the material costs for the received transcript, photocopy or electronic entry.

(3) The Government of the Republic of Macedonia, on a proposal of the Ministry of Finances, shall adopt an act wherein the fee for the material costs for the given information by the holders of information shall be determined.

(4) The holder of information shall publish the amount of the fee referred to in paragraph (3) of this Article in an appropriate manner (in an official newsletter of the holder of information, on an Internet page, bulletin board and alike) and shall give it

For insight to every applicant before the submission of the request.

(5) If the request refers to information of greater scope, the holder of information can ask the applicant to give the fee for covering the expenses in advance for the purpose of obtaining the information.

VI. COMMISSION FOR PROTECTION OF THE RIGHT TO FREE ACCESS TO PUBLIC INFORMATION

1. Status of the Commission

Article 30

(1) The Commission for Protection of the Right to Free Access to Public Information (hereinafter: the Commission) shall be an independent state body, working and adopting decisions in accordance with the competences determined by this Law.

(2) The funds for operation of the Commission shall be provided from the Budget of the Republic of Macedonia. The head office of the Commission shall be in Skopje. The Commission shall be accountable for its work to the Assembly of the Republic of Macedonia, where it sends its annual reports on its work.

(3) The Commission shall have the capacity of a legal entity.

2. Composition, appointment and dismissal of the Commission

Article 31

(1) The Commission shall be composed of a president, his/her deputy and three members, who shall perform their office professionally with a five-year term of office, with the right to be re-elected.

(2) The president, the deputy and the members shall be appointed and dismissed by the Assembly of the Republic of Macedonia on a proposal of the Commission on Election and Appointment Issues.

(3) The Assembly of the Republic of Macedonia shall publish an open announcement for selection of a president, deputy and members of the Commission. The Commission on Election and Appointment Issues of the Assembly of the Republic of Macedonia shall prepare a draft list of candidates for president, deputy and members of the Commission and shall submit it to the Assembly of the Republic of Macedonia.

(4) A person citizen of the Republic of Macedonia, holding a university degree, with eight years of working experience in the field of information and legal issues, and is not a member of a body of a political party, can be appointed as president of the Commission.

(5) A person citizen of the Republic of Macedonia, holding a university degree, with six years working experience, out of which three years in the non-governmental sector and is not a member of a body of a political party, can be appointed as a deputy president.

(6) A person citizen of the Republic of Macedonia, holding a university degree, with five years of working experience in the field of information and legal issues, and is not a member of a body of a political party, can be appointed as member of the Commission.

(7) The president shall manage, represent and present the Commission.

Article 31-a

(1) The office of the president, the deputy or the member of the Commission shall terminate before the expiry of the term of office if:

- one of the requirements determined in Article 31 of this Law ceases to exist,
- on a personal request,
- due to fulfillment of the requirements for age pension determined by law,
- due to death,
- if he/she is prohibited from performing profession, activity or duty with a legally valid decision,
- if he/she is sentenced to months with a legally valid decision, and an imprisonment in duration of over six -if the Commission on Election and Appointment Issues of the Assembly of the Republic of Macedonia adopts a proposal for dismissal of the president, his/her deputy or a member of the Commission due to unprofessional and negligent performance of the office based on the proposal adopted by the Commission with majority of the votes.

(2) If the office of the president, his/her deputy or a member of the Commission

terminates before the expiry of the term of office in accordance with paragraph (1) of this Article, a new president, his/her deputy or member of the Commission shall be elected in accordance with Article 31 of this Law within a period of three months.

(3) The term of office of the persons referred to in paragraph (2) of this Article shall last until the expiry of the term of office of the Commission.

3. Competence of the Commission

Article 32

The Commission shall perform the following activities:

- decide upon the appeals against the decision and the conclusion with which the holder of information rejected the request for access to information of the information applicants;
- take care for the implementation of the provisions of this Law;
- prepare and publish a list of holders of information;
- give opinions upon proposals for laws regulating free access to information;
- undertake activities in the field of education of the holders of information for the purpose of enabling the applicants free access to information they possess;
- cooperate with the holders of information concerning the exercise of the right to free access to information;
- give suggestions for the needed funds for operation of the Commission in the process of preparing the Budget of the Republic of Macedonia;
- adopt a Rulebook for its work;
- prepare annual report for its work and submit it to the Assembly of the Republic of Macedonia;
- perform tasks of international cooperation concerning the fulfillment of the international obligations of the Republic of Macedonia, take part in the implementation of projects of the international organizations and cooperate with the bodies of other countries and institutions in the field of free access to information of public interest;
- adopt acts regulating the manner of operation and organization of the Commission,
- promote the right to free access to public information, and
- perform other activities determined by this and other law.

4. Manner of operation

Article 33

(1) The Commission shall perform the activities within its competence on a session.

(2) The Commission shall work and decide with majority of the total number of members.

5. Secretariat

Article 34

(1) For the purpose of performing the expert, administrative and technical activities of the Commission, a Secretariat shall be formed as an expert service of the Commission.

(2) A general secretary appointed and dismissed by the Commission shall manage the Secretariat.

(3) The general secretary and the employees in the Secretariat shall have the

status of civil servants.

6. Court protection

Article 35

An appeal can be lodged against the decision of the Commission to the Administrative Court for the purpose of initiating an administrative procedure.

VII. INFORMING THE PUBLIC REGARDING THE ACCESS TO INFORMATION

Article 36

(1) The holders of information shall introduce the public with the manner and the requirements for access to information.

(2) The holders of information shall cooperate with other holders of information and with the Commission concerning the application of the provisions of this Law.

VIII. ANNUAL REPORT

Article 37

(1) The official person of the holder of information shall be obliged to prepare an annual report regarding the implementation of this Law for the previous year and submit it to the Commission by January 31 in the current year for the previous year.

(2) The report referred to in paragraph (1) of this Article shall contain:

- data on the official persons appointed for information operation at the holders of information;
- number of submitted requests;
- number of positively responded requests;
- number of rejected requests stating the reasons for each rejected request;
- number of submitted appeals against the first instance decisions (conclusions and decisions) of the holders of information, with description of the decision as well as by stating the reasons for the adopted decision in case of another rejection of the requested information,
- number of adopted appeals by a decision of the Commission,
- number of changed first instance decisions upon the Commission's proceeding,
- number of rejected appeals by the Commission and the reasons for their rejection,
- number of dismissed appeals by the Commission and the reasons for their dismissal,
- number of cases of silence of the Commission
- number of requests for initiation of a misdemeanor procedure and initiated misdemeanor procedures,
- number and types of imposed misdemeanor sanctions,
- number of initiated administrative disputes against the final decision of the Commission, and
- number and list of adopted court decisions wherein the appeal of the applicant in the administrative dispute is positively resolved, as well as stating the reasons on which the decision of the competent court is based.

(3) The Commission shall prepare a joint report regarding the implementation of this Law based on the gathered information from the reports from the holders of information, and shall submit it to the Assembly of the Republic of Macedonia by March 31 in the current year.

(4) The report referred to in paragraph (3) of this Article, after it is being reviewed and adopted by the Assembly of the Republic of Macedonia, shall be published in the mass media (newsletter, internet site).

Article 38

An employee of the holder of information shall not be held responsible if he/she issues classified information, if that information is important for determination of abuse of official position and corruptive behavior, as well as for stopping serious threats to the health of the people and endangering the environment.

IX. MISDEMEANOR PROVISIONS

Article 39

Fine in the amount of Euro 1.000 to 2.000 in Denar counter-value shall be imposed on the responsible person at the holder of information for a misdemeanor, provided that he/she does not act in accordance with Article 2 paragraph (2) and 6 paragraph (3) of this Law.

Article 40

Fine in the amount of Euro 1.000 to 1.500 in Denar counter-value shall be imposed for a misdemeanor on the responsible person, that is the official person at the holder of information who provides data contrary to Article 6 paragraph (1) of this Law, causing damage to the applicant, the public or the interest being protected by that information.

Article 41

Fine in the amount of Euro 300 to 500 in Denar counter-value shall be imposed for a misdemeanor on the responsible person at the holder of information, provided that he/she does not appoint an official person competent for information operation during the exercise of the right to free access to information in accordance with Article 8 paragraphs (1) and (2) of this Law.

Article 42

Fine in the amount of Euro 500 to 800 in Denar counter-value shall be imposed on the responsible person at the holder of information for a misdemeanor, provided that he/she does not keep and update the records of the information at his/her disposal and publish them in an appropriate manner available to the applicant in accordance with Article 9 of this Law.

Article 43

(1) Fine in the amount of Euro 500 to 1.000 in Denar counter-value shall be imposed on the responsible person at the holder of information for a misdemeanor, provided he/she does not provide premises for insight into the requested information in accordance with Article 11 of this Law.

(2) Fine in the amount of Euro 300 to 500 in Denar counter-value shall be imposed on the official person for information operation at the holder of information for a misdemeanor, provided that he/she does not provide help to the applicants during the information search in accordance with Article 16 paragraph (5) of this Law.

(3) Fine in the amount of Euro 300 to 500 in Denar counter-value shall be imposed on the responsible person at the holder of information for a misdemeanor, provided that he/she asks for an explanation from the applicant contrary to Article 16 paragraph (5) of this Law.

Article 44

Fine in the amount of Euro 300 to 500 in Denar counter-value shall be imposed on the official person for information operation at the holder of information for a misdemeanor provided that he/she in the anticipated time period, without any grounds, does not operate the information in accordance with Article 21 of this Law.

Article 45

Fine in the amount of Euro 500 to 800 in Denar counter-value shall be imposed for a misdemeanor on the responsible person at the holder of information if he/she does not prepare an annual report regarding the implementation of this Law and submit it to the Commission in accordance with Article 37 of this Law.

Article 45-a

Fine in the amount of Euro 300 to 500 in Denar counter-value shall be imposed for a misdemeanor on the responsible person, that is the official person at the holder of information, provided that he/she charges the access to the requested information contrary to Article 10 paragraph (2) of this Law.

Article 45-b

(1) For the misdemeanors determined by this Law, the misdemeanor procedure shall be conducted and the misdemeanor sanction shall be imposed by the competent court.

(2) Before filing a motion for initiation of a misdemeanor procedure with the competent court, a settlement procedure shall be conducted in accordance with the Law on Misdemeanors.

X. TRANSITIONAL AND FINAL PROVISIONS

Article 46

The by-law referred to in Article 1 paragraph (3) of this Law shall be adopted within a period of three months as of the day this Law enters into force.

Article 47

The Government of the Republic of Macedonia shall adopt the act referred to in Article 29 paragraph (3) of this Law within a period of six months as from the day this Law enters into force.

Article 48

The holders of information shall appoint official persons for information operation referred to in Article 8 of this Law within a period of four months as of the day this Law enters into force.

Article 49

(1) The president, the deputy and the members of the Commission shall be appointed within a period of 30 days as of the day this Law enters into force.

(2) The Information Agency shall cease its operation.

(3) The Commission shall take over the employees from the Information Agency

into the Expert Service of the Commission within a period of 60 days as of the day this Law enters into force.

(4) The Commission shall take over the material, technical, spatial and other conditions necessary for the implementation of this Law from the Information Agency within a period of 60 days as of the day this Law enters into force.

(5) The Commission, within a period of three months as of the day this Law enters into force, shall adopt the by-laws.

(6) The Commission, in cooperation with the Government of the Republic of Macedonia, the nongovernmental sector and with support from the international organizations, within a period of six months as of the day this Law enters into force, shall conduct a training for the persons responsible for the implementation of this Law.

Article 50

This Law shall enter into force on the eight day as of the day of its publication in the "Official Gazette of the Republic of Macedonia", and shall start to be applied as of September 1st, 2006.

PROVISIONS OF OTHER LAWS:

Law Amending the Law on Free Access to Public Information ("Official Gazette of the Republic of Macedonia" no.6/2010):

Article 35

The president, the deputy and the members of the Commission appointed in accordance with the Law on Free Access to Public Information ("Official Gazette of the Republic of Macedonia" no.13/2006 and 86/2008) shall continue working until the expiry of the term of office they are appointed for.

Article 36

The requests for access to public information submitted before the commencement of the application of this Law shall be concluded in accordance with the Law on Free Access to Public Information ("Official Gazette of the Republic of Macedonia" no.13/2006 and 86/2008).